

**MINUTES OF THE  
HOUSE ETHICS COMMITTEE  
Room 415 State Capitol  
February 20, 2009**

Members Present:     Rep. John Dougall, Chair  
                             Rep. Rebecca Chavez-Houck, Co-Chair  
                             Rep. Tim Cosgrove  
                             Rep. Brad Dee  
                             Rep. Kevin Garn  
                             Rep. Brian King  
                             Rep. Brad Last  
                             Rep. Carol Spackman Moss

Staff Present:         Mr. Michael E. Christensen, Director, OLRGC  
                             Mr. John Fellows, General Counsel, OLRGC  
                             Mr. Chris Parker, Associate General Counsel, OLRGC  
                             Ms. Barbara Bryner, Committee Secretary  
                             Ms. Linda Error, Committee Secretary

Rep. John Dougall called the meeting to order at 12:20 p.m.

MOTION:         Rep. Garn moved to approve the minutes of the February 13, 2009 meeting. The motion passed unanimously with Rep. Dee and Rep. Moss absent for the vote.

At the request of the Chair, Michael Christensen, Office of Legislative Research and General Counsel, presented the following documents and explained each to the committee:

- \*         History of Utah House Ethics Committee Hearings and Actions
- \*         Utah House Ethics Committee Process (Timeline)
- \*         Overview of Ethics Committees in the 50 States
- \*         Overview of Ethics Commissions in the 50 States
- \*         "Code of Official Conduct", JR6-1-102, Rules of the Fifty-Seventh Legislature, State of Utah, 2008

Mr. Christensen, and John Fellows, General Counsel, Office of Legislative Research and General Counsel, answered questions from the committee members.

At the request of the Chair, Rep. King discussed with committee members the way the Utah State Bar deals with ethics issues.

John Fellows discussed the difference between the National Conference of State Legislatures Ethics Committees and Ethics Commissions. The Chair requested a copy of this to be emailed to committee members. A copy is attached.

At the request of the Chair, Jerry Howe, Policy Analyst, Office of Legislative Research and General Counsel, discussed with the committee the make-up, powers and process of the Judicial Conduct Commission. This Commission oversees ethical complaints made against the state's judges. Mr. Howe also explained the role of the Utah Supreme Court in ethical oversight of the state courts.

MOTION: Representative Moss moved, that in order to provide an opportunity for a more thorough and detailed study through a series of public hearings, we refer to interim study the discussion of substantive changes to the legislative ethics process and the creation of any independent ethics-related entity and that the committee not consider, in the 2009 legislative session, H.B. 93, Establishment of State Ethics Commission (*Rep. P. Riesen*), H.B. 159, Ethics Provisions (*Rep. S. Allen*), and H.B. 348, Creation of the Office of Inspector General (*Rep. G. Hughes*), or any other bills which propose a change to the legislative ethics process or the creation of an independent ethics-related entity.

To that motion, Rep. Chavez-Houck agreed with the motion noting that the committee needs more time and information in order to make sound decisions relative to changing the current structure and process. Rep. Garn and Rep. Cosgrove also spoke in favor of the motion.

The motion passed unanimously.

MOTION: Rep. Dee moved to adjourn. The motion passed unanimously and the Chair adjourned the meeting at 1:30 p.m.

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Rep. John Dougall, Chair